

IN THE MATTER OF THE

\*

BEFORE THE

HORSESHOE CASINO,

\*

MARYLAND LOTTERY  
AND GAMING CONTROL

Respondent.

\*

COMMISSION

\*

March 2016 Regulatory Violations

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### **CONSENT AGREEMENT**

Pursuant to the Annotated Code of Maryland, State Government Article (“SG”), §§ 9-1A-01, *et seq.* (“Gaming Law”), and Code of Maryland Regulations (“COMAR”) 36.03.04.06, the Maryland Lottery and Gaming Control Commission (“Commission”) and CBAC Borrower, LLC (“Horseshoe Casino”) desire to resolve this matter without a formal administrative hearing. Accordingly, the parties recite the following facts and make the following agreements:

### **BACKGROUND**

The Commission, with the assistance of the Maryland Lottery and Gaming Control Agency (“MLGCA” or “Agency”), regulates the operation of the State’s video lottery terminals (“VLTs”) and table games, and is responsible for licensing qualified facility operators and ensuring that the operation of video lottery facilities, VLTs and table games is conducted legally. SG §§ 9-1A-02(b), 9-1A-04(b)(14).

If a licensee violates a provision of the Gaming Law, a regulation promulgated by the Commission, or a directive of the Commission or the Director of the MLGCA, the Commission is authorized to, after a hearing, take action against a licensee that may include suspension or revocation of a license, and levying a civil penalty for each violation. SG §§ 9-1A-04(a)(3) – (8), -25; Code of Maryland Regulations (“COMAR”) 36.03.04. The Commission may also take other enforcement action, such as a corrective action plan, a reprimand, or imposition of a condition on

a license. SG §§ 9-1A-04(a)(3), -25; COMAR 36.03.04. The Commission may also agree with a licensee to reach a settlement to resolve a violation. COMAR 36.03.04.06.

Horseshoe Casino is licensed by the Commission as the operator of the video lottery facility in Baltimore City.

By letter dated June 9, 2016, the Agency notified Horseshoe Casino of alleged violations of the Gaming Law – regulatory violations for the audit period of March 1 through March 31, 2016. The Agency included a monthly audit report for March 2016 indicating those violations for which the Agency is proposing a monetary penalty. The Notice of Alleged Violations asserted that these actions violated the Gaming Law and regulations promulgated thereunder, and that these actions were sanctionable.

Horseshoe Casino has taken corrective measures to ensure future compliance with these regulations.

The parties agree to the following terms and conditions as a means of resolving the captioned alleged violations.


#### **TERMS AND CONDITIONS**

1. This Consent Agreement is being entered into as a means of settling the alleged violations and avoiding the potential expense and inconvenience of a formal hearing.
2. There has not been a formal finding as to the merits of the allegations in the Notices of Violation. This Consent Agreement does not constitute an admission or denial by either party that a violation of law or regulation has occurred.
3. Upon the parties' execution of this Consent Agreement, Commission staff shall submit this Consent Agreement to the Commission for review and final approval at its meeting on August 25, 2016.

12. This Consent Agreement is not final and binding until it is approved by the Commission.

COMAR 36.03.04.06B(2).

IN WITNESS WHEREOF, the parties have signed this Consent Agreement as set forth  
below:

 7-26-16  
\_\_\_\_\_  
Erin Chamberlin (date)  
General Manager  
Horseshoe Casino

\_\_\_\_\_  
Gordon Medenica (date)  
Director  
Maryland Lottery and Gaming Control  
Agency

APPROVED:

\_\_\_\_\_  
Kimberly Robertson Pannell (date)  
Chair, Maryland Lottery and Gaming Control Commission